

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 UNITED STATES OF AMERICA,
5 Plaintiff

6 v.

7 MARC BRATTIN,
8 Defendant
9

2:13-cr-0161-JAD-CWH

**Order Granting Government's
Motion for New Self-Surrender Date**
[ECF 97]

10 On May 6, 2015, Defendant Marc Brattin was sentenced to 25 months in prison and ordered
11 to pay almost \$700,000 in restitution after he pled guilty to four counts of bank and wire fraud
12 without the benefit of a written plea agreement. Brattin appealed. ECF 73. On the eve of his self-
13 surrender date, Brattin moved this court for his release on bond pending appeal, and he sought to
14 extend his self-surrender date. ECF 84. I briefly extended his self-surrender date to August 10,
15 2015, to give the government an opportunity to brief its response. ECF 85 (minutes). But at the
16 hearing on that motion on July 22, 2015, I denied the request and reiterated Brattin's obligation to
17 surrender by noon on August 10, 2015. ECF 91 (minutes).

18 When Brattin moved the Ninth Circuit for bail pending appeal, triggering an automatic stay
19 under Ninth Circuit Rule 9-1.2(e), I stayed Brattin's self-surrender date "until the Ninth Circuit rules
20 on his renewed motion for bail pending appeal." ECF 95. The Ninth Circuit denied Brattin's motion
21 on August 19, 2015, and the government now asks for a new self-surrender date. ECF 97. Brattin
22 opposes the request and asks me to leave him out on bail "until the resolution" of a second case
23 pending against him in this district. ECF 99.

24 Brattin has not given me any new or better reason to reverse my original order denying his
25 motion for bail—an order I entered on the record on July 22, 2015. Accordingly, for the reasons I
26 previously articulated when denying his original motion for bond pending appeal, *see* ECF 91
27 (minutes), 96 (transcript),
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1 IT IS HEREBY ORDERED that Brattin's counter-request for bail pending appeal [ECF 99]
2 is DENIED; the government's motion for a new self-surrender date [ECF 97] is **GRANTED**.
3 Brattin must self-surrender at the facility designated by the Bureau of Prisons **by noon on**
4 **September 14, 2015**.

5 Dated this 26th day of August, 2015.

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9 Jennifer A. Dorsey
10 United States District Judge
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